

*Bruce T. Beesley*  
Honorable Bruce T. Beesley  
United States Bankruptcy Judge



Entered on Docket  
December 06, 2016

CHRISTOPHER P. BURKE, ESQ.  
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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

CHRISTOPHER MICHAEL MARINO  
VALERIE MARGARET MARINO

Debtors.

Case No.: BK-N-13-50461-BTB  
Chapter 7

Hearing Date: 11-30-16  
Hearing Time: 2:00 p.m.

**ORDER DENYING MOTION TO STAY EXECUTION  
OF JUDGMENT PENDING APPEAL**

THIS MATTER having come before the Court on Creditor, OCWEN LOAN SERVICING LLC, ("Creditor" or "Ocwen") Motion to Stay Execution of Judgment Pending Appeal [Dkt. 116] filed by its counsel, Wright, Finley & Zak LLP who appeared through its counsel, Christopher A.J. Swift, Esq., and Christopher P. Burke, Esq., having filed an Opposition on behalf of the Debtors, Christopher Michael Marino and Valerie Margaret Marino ("Marino"), who appeared, and the Court having read the pleadings, and after hearing oral argument, and with good cause appearing therefore;

1 IT IS THEREFORE THE ORDER OF THIS COURT, that Ocwen's Motion to Stay  
2 Execution of Judgment Pending Appeal, is hereby DENIED;

3 IT IS HEREBY FURTHER ORDERED; Ocwen has seven days from today's hearing  
4 of November 30, 2016, so until December 7, 2016, to post a Bond with the Clerk of the  
5 Court in Reno, Nevada for the full amount of the judgment \$119,760 and the federal  
6 judgment rate of interest for one year. The interest will continue to accrue until all appeals  
7 are exhausted, and thus may require a new bond at the end of that one year period;

8 IT IS HEREBY FURTHER ORDERED; that this bond shall remain on deposit until  
9 further order of this Court;

10 IT IS HEREBY FURTHER ORDERED; that if Ocwen does not post a bond in the  
11 above amount by December 7, 2016, it will be fined \$5,000 per day until the appropriate  
12 bond amount is posted;


13 IT IS HEREBY FURTHER ORDERED that Ocwen must comply with this Order and  
14 post the above described bond, regardless if this Order is signed before December 7, 2016,  
15 otherwise the fine will begin.

16  
17 IT IS SO ORDERED.

18  
19 Respectfully submitted:

(X) approve ( ) disapprove

20  
21 /s/ CHRISTOPHER P. BURKE, ESQ.  
22 CHRISTOPHER P. BURKE, ESQ  
23 Attorney for Christopher Michael Marino  
24 and Valerie Margaret Marino  
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ALTERNATIVE METHOD Re: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

\_\_\_\_\_ The court waived the requirements of approval under LR 9021 (b)(1).

\_\_\_\_\_ No parties appeared or filed written objections, and there is no trustee appointed in this case.

  X   I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond as indicated below:

On December 1, 2016, to Christopher A.J. Swift, Esq., Attorney for Ocwen Loan Servicing at email: [cswift@wrightlegal.net](mailto:cswift@wrightlegal.net)

\_\_\_\_\_ No opposition was filed to the motion and no counsel appeared at the hearing.

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